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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/646,802	10/17/2000	Petteri Putkiranta	P3439US00	1591
11764 7590 05/17/2011 Ditthavong Mori & Steiner, P.C. 918 Prince Street Alexandria, VA 22314				
EXAMINER				
HO, HUY C				
ART UNIT		PAPER NUMBER		
2617				
NOTIFICATION DATE		DELIVERY MODE		
05/17/2011		ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

docket@dcpatent.com

Office Action Summary

Application No.

09/646,802

Applicant(s)

PUTKIRANTA, PETTERI

Examiner

HUY HO

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 January 2011.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 5, 7-9, 13, 14 and 16-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 5, 7-9, 14, 16-19, 21, 22 and 24-28 is/are rejected.
- 7) ☒ Claim(s) 13, 20 and 23 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 September 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Opposition or Patent Drawing Review (PTO-912)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 03/03/2011
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 01/27/2011 has been entered.

Response to Arguments

2. Applicant's arguments with respect to amended claims 5, 7, 8, 13, 14, 17, 20-25 and 26-28 (New) have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 5, 7-9, 14, 16-19, 21, 22 and 24-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Naddell et al. (US Patent 5,613,213) and further in view of Salimando (US Patent 5,561,704).

Regarding claim 5, (Currently Amended) Naddell teaches an apparatus (*Naddell, figure 2*), comprising:

at least one processor (*Naddell, figure 2, number 201*); and

at least one memory including computer program code for one or more programs, the at least one memory and the computer program code configured to, with the at least one processor (*Naddell, figure 2, numbers 201, 205*), cause the apparatus to perform at least the following,

the mobile station is roaming in cells of a cellular radio network and that the mobile station is in the localized service area (*Naddell, col 2 lines 30-50, col 3 lines 20-67, col 4 lines 1-67, a communication unit roaming into new service areas and scanning for available services comparing with its pre-stored services in its memory*); and
a communications system covering the localized service area (*Naddell, col 2 lines 30-50, col 3 lines 20-67, col 4 lines 1-67*).

Naddell does not teach the apparatus generates a message when the apparatus determines that the apparatus arrives a localized service area is the message indicating that the apparatus is in the localized service, However, it is noticeable Naddell teaches the communication unit scans for new information such service areas for which the communication unit has stored in its memory when it roams to new areas in order to access to the desired services (*Naddell, col 2 lines 30-50, col 3 lines 20-67, col 4 lines 1-67*).

Salimando teaches a wireless mobile phone requiring services, determines its location and generates a phone message signal and transmits it to a service provider in the service area that the phone arrives (*see Salimando, the abstract, col 1 lines 60-65, col 3 lines 30-40, col 4 lines 1-10*). Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify teachings of Naddell by incorporating teachings of Salimando a mobile phone generates a message and transmits the message about its location and service requirements to a service provider in an area where it enters in thus providing a user of the mobile phone a sense of control by initiating sending a request message about his location and required service when needed

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such as emergency situations thus providing the user secure and control feelings and peace of mind when roaming to new areas.

Regarding claim 7, (Currently Amended) Naddell teaches a method comprising: the mobile station is roaming in cells of a cellular radio network and that the mobile station is in the localized service area (*Naddell, col 2 lines 30-50, col 3 lines 20-67, col 4 lines 1-67, a communication unit roaming into new service areas and scanning for available services comparing with its pre-stored services in its memory*); and a communications system covering the localized service area (*Naddell, col 2 lines 30-50, col 3 lines 20-67, col 4 lines 1-67*).

Salimando teaches a wireless mobile phone requiring services, determines its location and generates a phone message signal and transmits it to a service provider in the service area that the phone arrives (*see Salimando, the abstract, col 1 lines 60-65, col 3 lines 30-40, col 4 lines 1-10*). Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify teachings of Naddell by incorporating teachings of Salimando a mobile phone generates a message and transmits the message about its location and service requirements to a service provider in an area where it enters in thus providing a user of the mobile phone a sense of control by initiating sending a request message about his location and required service when needed such as emergency situations thus providing the user secure and control feelings and peace of mind when roaming to new areas.

Regarding claim 22, (Currently Amended) Naddell teaches a computer-readable storage medium carrying one or more sequences of one or more instructions which, when executed by one or more processors, cause an apparatus to at least perform the following steps: the mobile station is roaming in cells of a cellular radio network and that the mobile station is in the localized service area (*Naddell, col 2 lines 30-50, col 3 lines 20-67, col 4 lines 1-67, a communication unit roaming into new service areas and scanning for available services comparing with its pre-stored services in its memory*); and a communications system covering the localized service area (*Naddell, col 2 lines 30-50, col 3*

lines 20-67, col 4 lines 1-67).

Salimando teaches a wireless mobile phone requiring services, determines its location and generates a phone message signal and transmits it to a service provider in the service area that the phone arrives (*see Salimando, the abstract, col 1 lines 60-65, col 3 lines 30-40, col 4 lines 1-10*). Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify teachings of Naddell by incorporating teachings of Salimando a mobile phone generates a message and transmits the message about its location and service requirements to a service provider in an area where it enters in thus providing a user of the mobile phone a sense of control by initiating sending a request message about his location and required service when needed such as emergency situations thus providing the user secure and control feelings and peace of mind when roaming to new areas.

Regarding claim 6, (Previously Presented) Naddell, as modified by Salimando, teaches an apparatus of claim 5, wherein the apparatus is a mobile phone, and said at least one memory includes a removable memory (*Naddell, figure 2, col 3 lines 20-60*).

Regarding claim 8, (Currently Amended) Naddell, as modified by Salimando, teaches a method of claim 7, further comprising: in response to the message receiving one or more service changes at the mobile station (*Naddell, col 2 lines 30-50, col 4 lines 31-60, checking for service availability at certain times*).

Regarding claim 9, (Currently Amended) Naddell, as modified by Salimando, teaches a method of claim 8, wherein said one or more service changes involve sending of announcements to the mobile station (*Naddell, col 2 lines 30-50, col 4 lines 31-60, checking for service availability at certain times*).

Regarding claim 14, (Currently Amended) Naddell, as modified by Salimando, teaches a method of claim 13, further comparing: receiving control information from a plurality of base stations at the mobile station, the control information including geographic coordinates of each respective one of the base stations (*Naddell, figure 2, col 3 lines 20-67, col 4 lines 1-67*); and averaging the geographic coordinates of the base stations to obtain the current geographic location of the mobile station (*Salimando, col 2 lines 35-50, using triangulation method for*

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determining the location).

Regarding claim 16, (Previously Presented) Naddell, as modified by Salimando, teaches a method of claim 7, wherein the message is either a short message service message, an unstructured supplementary service data message, or a dual tone multi-frequency-coded message (*Salimando, col 2 lines 1-10*).

Regarding claim 17, (Currently Amended) Naddell, as modified by Salimando, teaches a method of claim 7, wherein the message is sent to the communications system base station in conjunction with a telephone call or a data call (*Salimando, the abstract, col 1 lines 60-65, col 3 lines 30-40, col 4 lines 1-10*).

Regarding claim 18, (Previously Presented) Naddell, as modified by Salimando, teaches a method of claim 7, wherein the one or more services include transmitting announcements specific for the localized service area (*Naddell, figure 2, col 3 lines 20-67, col 4 lines 1-67*).

Regarding claim 19, (Previously Presented) Naddell, as modified by Salimando, teaches a method of claim 7, wherein the localized service area is an airport or a cafeteria (*Naddell, figure 1, col 3 lines 1-17*).

Regarding claims 21, 24, (Currently Amended) Naddell, as modified by Salimando, teaches an apparatus of claims 20, 22, wherein the apparatus is further caused to: receiving control information from a plurality of base stations at the mobile station, the control information including geographic coordinates of each respective one of the base stations (*Naddell, figure 2, col 3 lines 20-67, col 4 lines 1-67*); and

averaging the geographic coordinates of the base stations to obtain the current geographic location of the apparatus (*Salimando, col 2 lines 35-50, using triangulation method for determining the location*).

Regarding claim 25, (Currently Amended) Naddell, as modified by Salimando, teaches a method of claim 7, wherein the localized service area is defined independently from cells, and the current geographic location of the mobile station includes geographic coordinates (*Naddell, figures 1, 2, col 3 lines 1-67, col 4 lines 1-67; Salimando, col 2 lines 1-55, using GPS system that makes*

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independence of service areas and cell coverage areas).

Regarding claim 26, (New) Naddell, as modified by Salimando, teaches a method of claim 7, further comprising: causing, at least in part, transmission of a notification indicating that the mobile station determines that the mobile station departs the localized service area to change reception of the one or more services (*Naddell, figures 1, 2, col 3 lines 1-17*).

Regarding claim 27, (New) Naddell, as modified by Salimando, teaches a method of claim 7, wherein the localized service area is defined in a chronological term, a temporal dimension, or a combination thereof (*Naddell, Col 4 lines 15-25, the service areas associated with time*).

Regarding claim 28, (New) Naddell, as modified by Salimando, teaches a method of claim 7, wherein the one or more services include call pricing, call prioritization, a modulation method limitation, a communication data rate, communication connection quality, routing of incoming data to the mobile station or another mobile station, activation or inactivation of automatic call transfer, activation or inactivation of a voice mail service, or a combination thereof (*Naddell, col 1 lines 27-50*).

Allowable Subject Matter

5. Claims 13, 20 and 23 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Bannister (US Patent 6,016,425)

Buss (US Patent 5,539,395)

Comer (US Patent 5,588,042)

Daniels (US Patent 6,058,301)

Giniger et al. (US Patent 6,199,045)

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Hanson (US Patent 5,963,861)

Roach Jr., et al. (US Patent 5,797,097).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HUY HO whose telephone number is (571)270-1108. The examiner can normally be reached on Monday - Friday, 8:00 a.m. - 5:00 p.m., EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Edouard can be reached on 571-272-7603. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Huy C Ho/

Examiner, Art Unit 2617

/Patrick N. Edouard/

Supervisory Patent Examiner, Art Unit 2617